

Exhibit “C”

Netanel Newberger

From: Matin Emouna <memouna@emiklaw.com>
Sent: Thursday, April 25, 2024 12:48 PM
To: Michael Mule; mfeinman@schohlaw.com
Cc: Netanel Newberger; Kyle Monaghan
Subject: RE: AutoExpo Ent. Inc. et al v. Elyahou et al; Rule 26(f) Conference; Draft Discovery Worksheet
Attachments: LETTER TO PLAINTIFFS COUNSEL APRIL 25 2024.pdf

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Dear Mr. Mulè:

Hope this email finds you well. Thank you for taking time to speak on April 18, 2024. I write in response to your email of April 18, 2024.

Pursuant to our conference, I reiterate that at this time Judge Orelia E. Merchant and not Magistrate Judge Steven L. Tiscione is handling this matter. In fact, during oral arguments on Friday, April 12, 2024, Judge Merchant provided that this is her case. Furthermore, to date, there has been no Consent Order or Referral Order on this docket.

I respectfully further disagree that the phone call last week constituted a Rule 26(f) Conference. Though that was the stated intent, your contention that Judge Tiscione has jurisdiction at this time prevented us from discussing what is required in a Rule 26(f) Conference. You nevertheless continue to insist that Judge Tiscione has jurisdiction over discovery in this action at this point in time.

Based on the occurrences so far, during and after the pre-motion conference, please consider this correspondence as a good faith effort to meet and confer prior to having defendants file a Motion to Stay Discovery, if you do not consent to staying discovery. Accordingly, it is respectfully requested that you inform us, if you consent. In the alternative, we will request a pre-motion conference with Judge Merchant to stay discovery.

As a reminder, due to the fact that I observe the Jewish Holidays of Passover, I will be unavailable on April 29 and April 30.

This letter is without prejudice to any rights or remedies available to Omid Elyahou and Simpsocial LLC, all of which are expressly reserved and none of which are waived.

Very truly
Matin Emouna

MATIN EMOUNA, ESQ.

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From: Michael Mule <MichaelMule@mllaborlaw.com>

Sent: Thursday, April 18, 2024 7:03 PM

To: mfeinman@scohnlaw.com; Matin Emouna <memouna@emiklaw.com>

Cc: Michael Mule <MichaelMule@mllaborlaw.com>; Netanel Newberger <netanel@mmmlaborlaw.com>; Kyle Monaghan <Kyle@mllaborlaw.com>

Subject: AutoExpo Ent. Inc. et al v. Elyahou et al; Rule 26(f) Conference; Draft Discovery Worksheet

Matt and Matin,

Thank you for participating in the Fed. R. Civ. P. 26(f) conference today. Under Fed. R. Civ. P. 16(b), the Court must issue a scheduling order after receiving the parties Rue 26(f) report. Also, a scheduling order must be issued within 90 days after any defendant has been served. All defendants were served on February 7, 2024. So, we are coming up to the 90-day deadline as set forth under the Rules. Therefore, as we discussed earlier today, attached is our draft discovery plan worksheet containing the dates we propose.

With respect to the reciprocal/agreed upon discovery occurring in the first 60 days (Phase I in the worksheet), we believe the following would assist our client in meaningfully evaluating the case for a settlement conference, and are, thus, the items we are requesting be completed within the initial 60-day period:

- Via sworn interrogatory answers, identification of:
 - All banks and accounts (*i.e.*, identification of multiple accounts at a single bank) used by each of the defendants SimpSocial LLC ("SimpSocial") and its subsidiaries or affiliates, Fifty-Seven Consulting LLC d/b/a Certified Performance Motors ("Certified") and its subsidiaries or affiliates, and Omid Elyahou ("Elyahou");
 - Company(ies) and person(s) who designed Certified's inventory system or were consulted regarding Certified's inventory system, and all communications with those company(ies) and person(s);
 - Certified employees, and independent contractors performing sales and/or finance department functions for Certified, from Certified's formation, with start and end dates; and
 - All email account addresses and cell phone numbers used by Elyahou, Eitan and Fazeeda Kassim ("Kassim").
- Documents:
 - Bank records showing all transactions from Jan. 2020 to present (via Plaintiff AutoExpo Ent. Inc. ("AutoExpo")'s third-party subpoenas to each bank);
 - All transactions between Elyahou, Eitan, their related entities (including but not limited to SimpSocial and Certified);
 - All emails and text messages between Elyahou, Eitan and Kassim from Jan. 2020 to present discussing the following topics:
 - Certified business strategy or ownership
 - AutoExpo
 - AutoExpo's employees or vendors
 - Dealer agreements with banks
 - Corporate records, including state filings, operating agreements, unit certificates, transfer ledgers for Certified and SimpSocial.

We propose filing the worksheet with Magistrate Judge Steven Tiscione no later than April 25, 2024, and requesting an initial conference for purposes of issuing a scheduling order. To that end, please send us your feedback and counterproposals by Monday (Tuesday, April 23, 2024) so we have time to further confer ahead of April 25.

As noted on the call, the requested information and documents in Phase 1 is for the purpose of advancing a potential settlement conference, if any, and therefore those requests are significantly narrower than the scope of discovery in this action, and are made without any waiver and full reservation of rights to pursue all relevant discovery in this action.

Thank you all and talk soon.

Sincerely,

Michael C. Mulè, Esq.
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Matin Emouna
Admitted in NY, NJ & CT
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April 25, 2024

Via Email: michaelmule@mllaborlaw.com
Michael C. Mulè, Esq.
Milman Labuda Law Group, PLLC
3000 Marcus Avenue, Ste. 3W8
Lake Success, NY 11042

Re: AutoExpo Ent. Inc., et al. v. Elyahou, et al.,
Case No.: 23-cv-9249

Dear Mr. Mulè:

Hope this email finds you well. Thank you for taking time to speak on April 18, 2024. I write in response to your email of April 18, 2024.

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